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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,968	12/06/2000	Mourad Ben Ayed		6993

7590

07/16/2002

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EXAMINER

ANYASO, UCHENDU O

ART UNIT

PAPER NUMBER

2675

DATE MAILED: 07/16/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

*[Handwritten signature]*

# Office Action Summary

Application No.

09/729,968

Applicant(s)

BEN AYED, MOURAD

Examiner

Uchendu O Anyaso

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-18 are pending in this action.

***Claim Rejections - 35 USC ' 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by *Persidsky* (U.S. Patent 6,130,666).

Regarding independent claims 1 and 15, *Persidsky* teaches a self-contained pen computer device (10) that collects and stores handwritten data without requiring a special writing surface (column 3, lines 9-19, figure 1 at 10; column 1, lines 12-18). This pen computer (10) is wireless (see figure 1 (showing no wires)).

Furthermore, *Persidsky* teaches write button (54) which when pressed allows a user to draw images or words in a display (24) by moving the writing tip (12) through the air, requiring no surface whatsoever to acquire or edit handwritten data (column 6, lines 31-40, figure 8 at 12, 24, 54).

Furthermore, *Persidsky* teaches a transmitter (70), and how pressure sensor (14) is included in the tip of pen (10) and a motion sensor (16) comprising accelerometers (21, 23, 25) outputs signals indicative of the motion of the pen so that the handwritten

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data may be acquired by the display (24) (see Abstract; see *also* column 4, lines 29-51, figures 1-4, 13 at 70; column 3, lines 43-67 *through* column 4, lines 1-27).

Regarding claims 2, 3, in further discussion of claim 1, Persidsky teaches how a pressure sensor (14) is included in the tip of pen (10) and a motion sensor (16) comprising accelerometers (21, 23, 25) outputs signals indicative of the motion of the pen so that the handwritten data may be acquired by the display (24) (see Abstract; see *also* column 4, lines 29-51, figures 1-4); column 3, lines 43-67 *through* column 4, lines 1-27).

Regarding claims 4, 10, 11, 16-18, in further discussion of claims 3 and 15, Persidsky teaches a transmitter (70), and how processor 40 stores a reconstructed image of the path that writing tip 12 traverses in an image memory 22 (column 4, lines 13-19) wherein movement sensing devices comprising accelerometers (21, 23, 25) are employed to track the movement of the writing tip (column 3, lines 52-65, figure 2, 13 at 21, 23, 25, 70).

Regarding claims 5-7 and 12-14, in further discussion of claims 3, 4 and 11, Persidsky teaches write button (54) which when pressed allows a user to draw images or words in a display (24) by moving the writing tip (12) through the air, requiring no surface whatsoever to acquire or edit handwritten data (column 6, lines 31-40, figure 8 at 12, 24, 54).

Regarding claims 8 and 9, in further discussion of claim 5, a self-contained pen computer device (10) that collects and stores handwritten data without requiring a special writing surface (column 3, lines 9-19, figure 1 at 10; column 1, lines 12-18). This pen computer (10) is wireless (see figure 1 (showing no wires)).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,517,579 to *Baron et al* for a handwriting input apparatus.

U.S. Patent 5,627,348 to *Berkson et al* for an electronic stylus with writing feel.

U.S. Patent 6,097,374 to *Howard et al* for a wrist pendent wireless optical keyboard.

U.S. Patent 5,615,132 to *Horton et al* for a method and apparatus for determining position and orientation of a movable object using accelerometers.

U.S. Patent 5,851,193 to *Arikka* for a method and device for the simultaneous analysis of ambulatorily recorded movements.

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uchendu O. Anyaso whose telephone number is (703)

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306-5934. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached at (703) 305-9720.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



Uchendu O. Anyaso

07/15/2002



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